

Attachment to Independent Case Review Report
For CDRU # 6561 Case file # 95-260456.

Material Examiner: Malone (RQ)

Remarks:

Case resulted in a trial, testimony transcript not provided.

Crm 147

INDEPENDENT CASE REVIEW REPORT

Independent Review conducted by: Steve Robertson

Area(s) of Expertise: Hair and Fibers

Review commenced at: 10:45 AM (Time), 11/06/01 (Date)

File #: 95-260456

Laboratory #(s): 40329004

Examiner(s) & Symbols

| | Reviewed | Not Reviewed | | Reviewed | Not Reviewed |
|-----------------------------|-----------------------------------|-----------------------------------|-----------------------------|--------------------------|--------------------------|
| <u>RQ</u> | <u>X</u> <input type="checkbox"/> | <input type="checkbox"/> | <u> </u> | <input type="checkbox"/> | <input type="checkbox"/> |
| <u>VI</u> | <input type="checkbox"/> | <u>X</u> <input type="checkbox"/> | <u> </u> | <input type="checkbox"/> | <input type="checkbox"/> |
| <u> </u> | <input type="checkbox"/> | <input type="checkbox"/> | <u> </u> | <input type="checkbox"/> | <input type="checkbox"/> |

Materials Reviewed

Trial testimony transcript(s) of: none available

Testimony Date(s): Pages:

Laboratory Report(s):

Laboratory Number: 403290004 Date: June 18, 1984

Laboratory Number: Date:

Laboratory Number: Date:

Examiner Bench Notes of: RQ and unknown technician

Laboratory Number: 40329004

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Initials: SR

CRM147A

Was any other material reviewed? ☒ Yes ☐ No

If yes, please identify and/or describe the material: submitting agency letter dated 3-22-84

Results of Review

File #: 95-260456 Item or Specimen # Reviewed: Q1-Q7, Q10, Q17-Q25, Q27,

K3, K4, K6, K7

Review of Laboratory Report(s) and Bench Notes:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

- 1) Did the examiner perform the appropriate tests in a scientifically acceptable manner, based on the methods, protocols, and analytic techniques available at the time of the original examination(s)?
☐ Yes ☐ No ☒ Unable to Determine
- 2) Are the examination results set forth in the laboratory report(s) supported and adequately documented in the bench notes?
☐ Yes ☒ No ☐ Unable to Determine

Review of Testimony:

Note: Numbered comments are required below or on additional pages for any "No" or "Unable to Determine" Responses

☒ Transcript not available.

- 3) Testimony consistent with the laboratory report(s)? ☐ Yes ☐ No ☐ Unable to Determine
- 4) Testimony consistent with the bench notes? ☐ Yes ☐ No ☐ Unable to Determine
- 5) Testimony within bounds of examiner's expertise? ☐ Yes ☐ No ☐ Unable to Determine

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Initials: SM

Comments

(Set forth by above question #, if applicable.
Use "Additional Comments" Sheet, if needed)

File #: 95-260456

#1: With microscopic hair comparison, one cannot determine from the notes that the examination was conducted in an appropriate manner.

#2: Documentation is poor. The notes are not dated and are in pencil and not ink. Abbreviations are used to describe the microscopic characteristics of the hair. These abbreviations are difficult to interpret. There is no documentation by the technician that hair was recovered from Q1 or Q2 as stated in the report. The report states "One brown pubic hair of Caucasian origin was found in specimen Q27. This hair microscopically matches the pubic hair of the victim." The examiner's notes for item Q27, the suspect's pubic combings, read "Q27- Sev b P.H's C.O=K6(s) *1 b P.H CO F. rem = K6(s) ~~K3(v)~~^{*SK}". These notes indicate that more than one pubic hair was recovered from Q27. In addition, these notes indicate that one hair from Q27 matches the suspect's pubic hair sample (K6) instead of the victim's pubic hair sample (K3).

Review completed at: 11:30 AM (Time), 11/06/01 (Date)

Total time spent conducting review (to nearest 1/4 hour): 0.75 hr.

I hereby certify that I conducted this review in an independent, unbiased manner and that the results of my review are fully documented on this report consisting of a total of 3 pages.


(Signature)

11/06/2001
(Date)

* For CLARIFICATION, THIS READS "~~=~~ K3 (v)", MEANING THIS
HAIR DOES NOT MATCH THE K3 SAMPLE.
SKA

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Initials: *SKA*